



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

15 W Yakima Ave, Ste 200 • Yakima, WA 98902-3452 • (509) 575-2490

December 20, 2013

Painted Summer Hills, LLC  
c/o Glen Goodman  
PO Box 487  
Quincy WA 98848-0487

**RE: Water Right Change Application No. CG4-29196P@3 (DOUG-13-02)**

In accordance with RCW 90.80.080 the Department of Ecology (Ecology) has reviewed the Record of Decision (ROD), Report of Examination (ROE), and all comments, protests, objections and other relevant information submitted by the Douglas County Water Conservancy Board (the Board) for the above referenced application for change.

Ecology has **modified** the decision of the Board and the proposed change/transfer of water right is **approved** under the following conditions:

**Summary of Ecology's Final Order**

MAXIMUM CUB FT/ SECOND		MAXIMUM GAL/MINUTE		MAXIMUM ACRE-FT/YR		TYPE OF USE, PERIOD OF USE	
		1800		632		620 ac-ft/yr for irrigation of 155 acres April 1 to October 15; and 12 ac-ft/yr for continuous domestic supply to 14 residential service connections plus residential irrigation.	
SOURCE						TRIBUTARY OF (IF SURFACE WATER)	
Two (2) wells							
¼	¼	SECTION	TOWNSHIP N.	RANGE	WRIA	COUNTY.	
NW	NE	12	20	22 EWM	41 – Lower Crab	Douglas	
AT A POINT LOCATED: PARCEL NO.							
20221210002							
LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED AS APPROVED BY THE BOARD							
NE¼ NW¼; W½ NE¼; and NW¼ SE¼, within Section 12, T. 20 N., R. 22 E.W.M. AND; A portion of the SE¼ of Section 1, T. 20 N., R. 22 E.W.M. as described in detail in the Board's Decision AND; A portion of the E½ of Section 1, T. 20 N., R. 22 E.W.M. as described in detail in the Board's Decision							

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PARCEL NO.	¼	¼	SECTION	TOWNSHIP N.	RANGE,
21 various parcels as described in detail in the ROE and Board's Decision			12,01	20	22
<b>DEVELOPMENT SCHEDULE</b>					
BEGIN PROJECT BY THIS DATE:	COMPLETE PROJECT BY THIS DATE:	WATER TO PUT TO FULL USE BY THIS DATE:			
Begun	July 1, 2017	July 1, 2017			

Ecology has **MODIFIED** the decision of the Board as follows:

The following are added to the Provisions section:

- 1) All terms of the Settlement Agreement between Ecology and Painted Summer Hills LLC pertaining to Permit G4-29196P shall apply to this and any subsequent changes to the Permit.
- 2) All provisions of Superseding Permit G4-29196P issued April 9, 2012 shall apply to this and any subsequent changes to the Permit.
- 3) The *Construction Schedule* presented on page 12 of the ROE is struck and replaced by the following:

Construction has begun. As per the Settlement Agreement, completion of construction and water put to beneficial use shall occur by July 1, 2017. Proof of Appropriation for both irrigation and community domestic supply portions of the permit shall be submitted to Ecology on or before July 1, 2017. No extensions to the development schedule will be granted for either the irrigation or community domestic supply portions of the permit. Certification for both irrigation and domestic supply portions of the Permit will be based upon actual beneficial use of the right.

#### **YOUR RIGHT TO APPEAL**

You have a right to appeal this decision to the Pollution Control Hearings Board (PCHB) within 30 days of the date of receipt of this decision. The appeal process is governed by chapter 43.21B RCW and chapter 371-08 WAC. "Date of receipt" is defined in RCW 43.21B.001(2).

To appeal you must do the following within 30 days of the date of receipt of this decision:

- File your appeal and a copy of this decision with the PCHB (see addresses below). Filing means actual receipt by the PCHB during regular business hours.
- Serve a copy of your appeal and this decision on Ecology in paper form - by mail or in person. (See addresses below.) E-mail is not accepted.

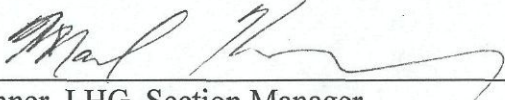
You must also comply with other applicable requirements in chapter 43.21B RCW and chapter 371-08 WAC.

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**ADDRESS AND LOCATION INFORMATION**

Street Addresses	Mailing Addresses
<b>Department of Ecology</b> Attn: Appeals Processing Desk 300 Desmond Drive SE Lacey WA 98503	<b>Department of Ecology</b> Attn: Appeals Processing Desk PO Box 47608 Olympia WA 98504-7608
<b>Pollution Control Hearings Board</b> 1111 Israel Road SW, Ste 301 Tumwater WA 98501	<b>Pollution Control Hearings Board</b> PO Box 40903 Olympia WA 98504-0903

For additional information visit the Environmental Hearings Office Website: <http://www.eho.wa.gov>  
To find laws and agency rules visit the Washington State Legislature Website: <http://www.leg.wa.gov/CodeReviser>



Mark Kemner, LHG, Section Manager  
Water Resources Program  
Central Region Office

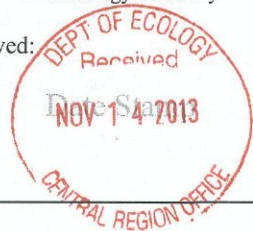
MK:MD:ss/131218

Enclosures: Your Right to Be Heard  
Construction Notice

By Certified Mail: 7010 0290 0000 7126 5404

cc: Mark Dunbar, Department of Ecology, Central Region Office (email pdf)  
Carol Cowling, Douglas County Conservancy Board

Douglas County  
WATER CONSERVANCY BOARD  
Application for Change/Transfer  
Record of Decision

For Ecology Use Only	
Received:	
Reviewed by:	_____
Date Reviewed:	_____

Applicant: Painted Summer Hills, LLC

Application Number: DOUG-13-02

This record of decision was made by a majority of the board at an open public meeting of the Douglas County Water Conservancy Board held on 11-11-13.

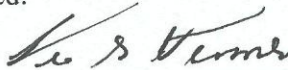
☒ **Approval:**

The Douglas County Water Conservancy Board hereby **grants** conditional approval for the water right transfer described and conditioned within the report of examination on 11-11-13 and submits this record of decision and report of examination to the Department of Ecology for final review.

☐ **Denial:**

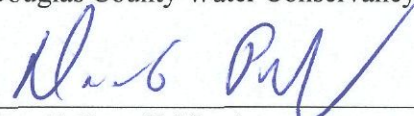
The Douglas County Water Conservancy Board hereby **denies** conditional approval for the water right transfer as described within the report of examination on \_\_\_\_\_ and submits this record of decision to the Department of Ecology for final review.

Signed:

  
\_\_\_\_\_  
Lee Hemmer, Chair  
Douglas County Water Conservancy Board

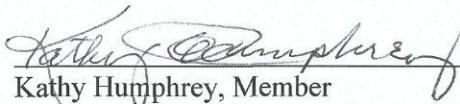
Date: 11-11-13

Approve ☒  
Deny ☐  
Abstain ☐  
Recuse ☐

  
\_\_\_\_\_  
Don G. Popoff, Member  
Douglas County Water Conservancy Board

Date: 11-11-13

Approve ☒  
Deny ☐  
Abstain ☐  
Recuse ☐

  
\_\_\_\_\_  
Kathy Humphrey, Member  
Douglas County Water Conservancy Board

Date: 11/11/13

Approve ☒  
Deny ☐  
Abstain ☐  
Recuse ☐

\_\_\_\_\_  
Douglas County Water Conservancy Board

Date: \_\_\_\_\_

Approve ☐  
Deny ☐  
Abstain ☐  
Recuse ☐

Mailed to the Department of Ecology Central Regional Office of Ecology, via certified mail, and other interested parties on 11-13-13.